

Executive Session Set.

On motion of Senator Williamson, the Senate voted to go into executive session tomorrow morning immediately after the morning call.

Adjournment.

On motion of Senator Parrish the Senate, at 2:38 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Petitions and Memorials.**

(Telegram.)

Huntsville, Texas, Jan. 21, 1930.

Hon. Barry Miller, Lieutenant Governor, Austin, Texas.

I cordially invite members of Legislature when in Huntsville to visit Sam Houston Teachers College and General Houston's old home and grounds. No entertainment proposed but brief inspection in line with your patriotic interest in the heroic traditions of Texas and your responsibility for her institutions.

H. F. ESTILL,

President Sam Houston State Teachers College.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, January 21, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 2 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, January 20, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Federal Relations, beg to report that at a meeting of said committee, held on January 20, the following resolution was adopted:

"Resolved, That the Attorney General of Texas is requested, as early as practicable, to communicate to the committee on Federal Relations

of the Senate, for its information, his opinion as to whether any executive committee of any political party has the power, under the laws of this State, to bar any person from participating in a party primary, either as a candidate for office or as a voter, because such person has voted against a nominee of such party at an election heretofore held, after participating in the primary conventions and primary elections of such party."

LOVE, Chairman.

THIRD DAY.

Senate Chamber,

Austin, Texas.

Wednesday, January 22, 1930.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Cousins.	Pollard.
Greer.	Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Martin:

S. B. No. 4, A bill to be entitled

"An Act providing that in all counties where the county attorney performs the duties of the county Attorney and district attorney, the county attorney may appoint one or more assistants who need not possess the qualifications provided for county attorneys; providing for the manner of appointments and payment of said assistants, and providing that said assistants may be appointed according to population and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Patton:

S. B. No. 5, A bill to be entitled "An Act relating to the Prison System of Texas and providing for the rehabilitation, renovation and concentration of the Central Prison System of the State of Texas on the present site of the Central Prison and walls in the City of Huntsville, in Walker County, Texas, and adjoining lands now owned by the State; etc., and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Wirtz:

S. B. No. 6, A bill to be entitled "An Act to exempt estates of minors of fifteen thousand dollars or less in valuation, administered in guardianship under Title 69, Revised Civil Statutes of Texas, 1925, from all fees, charges, costs and commissions allowed by law, except commissions allowed to guardians, and to amend Article 4317, Revised Civil Statutes of Texas, 1925, regulating costs and securities for guardianship proceedings, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Cousins, on motion of Senator Thomason.

Senator Pollard, on motion of Senator Beck.

Senator Greer, on motion of Senator Woodward.

Senator Stevenson, on motion of Senator Holbrook.

Prison Tour Committee Reports.

Senator Woodul, representing the committee appointed to arrange for a visit to the prison system, announced that tentative arrangements had been made for the Legislature to leave Thursday night, January 23.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives, Austin, Texas, January 22, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 5, urging the efforts of the members of Congress on certain legislation.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk-House of Representatives.

Hall of the House of Representatives, Austin, Texas, January 22, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 2, A bill to be entitled "An Act to make an appropriation of the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), or so much thereof as may be necessary, payable out of the general revenue of the State of Texas, not otherwise appropriated, to pay the mileage and per diem of members and to pay the salaries and per diem of officers and employees of the Fourth Called Session of the Forty-first Legislature of the State of Texas, etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk House of Representatives.

Simple Resolution No. 5.

Senator McFarlane sent up the following resolution:

Whereas State Commissioner of Education, P. L. Harnett of Tennessee, is within the bar of the Senate,

Therefore, Be It Resolved that he be invited to address the Senate.

PARRISH,

McFARLANE.

Read and adopted.

The Chair appointed Senators Parrish, McFarlane and Neal to escort Mr. Harnett to the platform.

The Chair introduced Senator Parrish who introduced Mr. Harnett. Mr. Harnett briefly addressed the Senate.

Simple Resolution No. 7.

Senator Neal sent up the following resolution:

Whereas, the Commissioner of Education of Tennessee, Mr. P. L. Harnett, has been invited to address the Senate of Texas, and

Whereas, the said Mr. Harnett did address the Senate and did bring greetings from the Governor of Tennessee, the Speaker of the Senate and the Speaker of the House of Representatives,

Now, Therefore, Be It Resolved that the Senate of Texas do thank Commissioner Harnett for his address and return the thanks and the greetings of the Senate of Texas for the gracious greetings of the Governor of Tennessee, the Speaker of the Senate and the Speaker of the House of Representatives.

NEAL.

Read and adopted.

Executive Session.

At the conclusion of the morning call, the Chair announced that the time for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,

Austin, Texas, January 22, 1930.
Hon. Barry Miller, President of the Senate.

We, your Committee on Governors' Nominations, to whom was referred nominations made by Governor Dan Moody, having had same under consideration, beg leave to make the following report:

We report the attached list of Notaries Public be confirmed.

Respectfully submitted,

WILLIAMSON, Chairman.

Read and adopted.

(See immediately following last day's Journal.)

Simple Resolution No. 6.

Senator Hyer sent up the following resolution:

Whereas, since the last session of the Legislature Senators Williamson, Witt, Patton and Stevenson have taken an extensive trip inspecting State penitentiaries, and

Whereas, the Senate is interested in these investigations,

Now, Therefore, Be It Resolved by the Senate that Senators Williamson, Witt, Patton and Stevenson be invited to address the Senate on their trip.

HYER.

The resolution was read.

Senator Love sent up the following substitute for the resolution:

Substitute for Simple Resolution No. 6.

Resolved, that every member of the Senate not now on the Penitentiary Committee be added to that Committee, and that the Penitentiary Committee be requested to immediately begin the consideration of all bills on the penitentiary subject now before the committee.

LOVE.

The substitute was read.

Senator Wirtz raised the point of order that the substitute was not germane to the original resolution.

Senator Hyer withdrew his resolution.

Senator Love offered his resolution as an original resolution.

Senator McFarlane sent up the following amendment:

Amendment.

By striking out the word "Penitentiary" and insert in lieu thereof "all committees."

McFARLANE.

The amendment was read.

Senator Love moved to table the amendment.

Senator DeBerry raised the point of order that such additions to all committees could not be made by one simple resolution. The Chair held that by calling for a division of the

question it would be possible to take the action called for in the amendment; therefore, the amendment was in order.

The motion to table prevailed.

Senator McFarlane moved the previous question on the further consideration of the resolution. The motion failed to receive the proper seconding.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 1.
H. C. R. No. 3.
S. B. No. 2.

Recess.

On motion of Senator Moore, the Senate, at 11:55 o'clock a. m., recessed until 2:30 o'clock p. m.

After Recess.

The Senate met at 2:30 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Simple Resolution No. 6.

The question recurred upon S. R. No. 6.

The resolution was lost by the following vote:

Yeas—12.

Beck.	Small.
Holbrook.	Thomason.
Hornsby.	Williamson.
Hyer.	Witt.
Love.	Woodul.
Moore.	Woodward.
Neal.	

Nays—11.

Berkeley.	Miller.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Martin.	Russek.
McFarlane.	Wirtz.

Absent—Excused.

Cousins.	Pollard.
Greer.	Stevenson.
Hardin.	Westbrook.

(Two-thirds vote required.)

H. C. R. No. 5.

The Chair laid before the Senate H. C. R. No. 5, relating to free bridges across State boundary rivers.

The resolution was read and adopted.

Simple Resolution No. 8.

Senator Hyer sent up the following resolution:

Whereas: Since the last session of the Legislature Senators Williamson, Witt, Patton and Stevenson have taken an extensive trip inspecting State penitentiaries, and

Whereas, The Senate is interested in these investigations,

Now, Therefore, Be It Resolved by the Senate that Senators Williamson, Witt, Patton and Stevenson be invited to address the Senate on their trip.

HYER.

The resolution was read.

Senator Witt sent up the following substitute:

Substitute for S. R. No. 8.

That the Committee on Penitentiaries meet immediately after adjournment of the Senate today to consider bills now before that committee.

WITT.

The substitute was read.

Senator DeBerry raised the point of order that the substitute was out of order because it changed the purpose of the original resolution.

The Chair sustained the point of order.

Senator Martin sent up the following amendment:

Amendment.

Said committee to be called upon to speak on subject of the trip taken but at such time as they may choose.

MARTIN.

The amendment was read.

Senator Hyer moved that the resolution be laid on the table subject to call. The motion prevailed.

Adjournment.

On motion of Senator Woodward, the Senate, at 3:03 o'clock, ad-

journed until 10 o'clock tomorrow morning.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, January 22, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. C. R. No. 2 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, January 22, 1930.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 2 carefully examined and compared and find the same correctly enrolled, and have this day at 11:10 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

FOURTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, January 23, 1930.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent—Excused.

Cousins.	Pollard.
Greer.	Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator McFarlane:

S. B. No. 7, A bill to be entitled "An Act creating a commission to reorganize and centralize the penitentiary system of the State of Texas; providing for the sale of certain prison property and the location of said centralized plant; providing the necessary powers and authorities and duties of said commission to construct said new system; providing for the manufacturing and supplying the Board of Control merchandise and supplies for the State's use by the prison system; authorizing and directing the Board of Control and the Highway Commission to purchase from the Prison Board certain materials, supplies and labor needed for the State's use; granting the necessary authorities power, privileges to carry into effect requirements of said reorganization of the prison system; and making an appropriation to carry out the provisions of the Act, and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Small:

S. B. No. 8, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 7395, and not more than 7410, according to the 1920 United States census, and having taxable values as shown by the approved 1929 tax roll amounting to as much as \$8,145,000.00, and not more than \$8,150,000.00; prescribing how such compensation shall be paid; and providing that the Act shall apply only to counties expending funds derived